

REMARKS

Claims 1, 4, 7, 8, 12, 14, 24, 27, 31 and 41 have been amended and claims 2 and 3 have been canceled without prejudice. Claims 1 and 4 to 41 remain active in this application.

Claim 7 has been amended to remove the objectionable matter.

Claim 1 to 6, 8 to 11 and 14 were rejected under 35 U.S.C. 102(e) as being anticipated by Brennen et al. (U.S. 5,329,578). The rejection is respectfully traversed.

Claim 1 requires, among other steps, the step of creating a plurality of message response groups. No such step is taught or suggested by Brennen et al. either alone or in the combination as claimed.

In general, the patent to Brennen et al. is related to an entire different matter from that of the subject invention, namely to provide personal communication services wherein the subscriber can tailor the service to provide mobility and incoming message management. The invention relates to call routing as well as advising of the standard functions available in telephones service, namely who is calling, when the call is made and the urgency of the call. The service profile in the data base is for the purpose of implementing these routing functions. Brennen et al. has nothing whatsoever to do with creation of a group of message response and the selecting a particular response or response group based upon identification of the caller. It follows that Brennan fails to teach or suggest creation of a group of message responses.

Claim 1 further requires the step of selecting a message response from the plurality of message response groups, in response to the identity of the calling party; and supplying the selected message response. No such steps are taught or suggested by Brennen et al. either alone or in the total combination as claimed.

Claim 4 to 6, 8 to 11 and 14 depend from claim 1 and therefore define patentably over Brennen et al. for at least the reasons presented above with reference to claim 1.

Claim 4 further limits claim 1 by requiring that the step of selecting a message response group from the plurality of message response groups include selecting a message response group in response to factors including the time of day, communication activity level, and manual selection. No such step is taught or suggested by Brennen et al. either alone or in the combination as claimed since Brennen et al. fail to even teach or suggest message response groups.

Claim 5 further limits claim 4 by requiring that the step of creating a group of message responses include creating a hierarchy of message responses and that the method further includes the steps of creating a hierarchy of priority groups, inserting calling party identities into the priority groups and creating a matrix of the priority group hierarchy cross-referenced to message response hierarchy, wherein the step of selecting a message response from the group of message responses, in response to the identity of the calling party, includes the steps of locating the calling party in a priority group and selecting a message response in reaction to locating the priority group. No such steps are taught or suggested by Brennen et al. either alone or in the combination claimed for reasons stated above.

Claim 6 further limits claim 5 by requiring the steps of receiving a calling party security code and; in response to receiving the security code, providing an override message response. No such steps are taught or suggested by Brennen et al. either alone or in the combination claimed for reasons stated above.

Claim 8 further limits claim 5 by requiring that the step of creating a hierarchy of priority groups include adding special identities to the hierarchy of priority groups, wherein creating a matrix of the priority group hierarchy cross-referenced to message response hierarchy includes cross-referencing the special identities to message responses; and wherein selecting a message response from the group of message responses, in response to the identity of the calling party, includes the steps of, prior to locating a calling party identity in a priority group, locating the calling party identity in the special identities and selecting a message response in response to locating the calling party in the special identities. No such steps are taught or suggested by Brennen et al. either alone or in the combination claimed for reasons stated above.

Claim 9 further limits claim 8 by requiring that the step of creating a plurality of message response groups include creating a plurality of message response hierarchies and the method further include the step of creating matrices of the priority group hierarchy cross-referenced to each of the plurality of message response hierarchies and that the step of selecting a message response group from the plurality of message response groups include identifying the priority group-message response matrix to be used for cross-referencing the located priority group. No such steps are taught or suggested by Brennen et al. either alone or in the combination claimed for reasons stated above.

Claim 10 further limits claim 9 by requiring the step of editing the matrices to modify a relationship between a priority group and a message response. No such step is taught or suggested by Brennen et al. either alone or in the combination claimed for reasons stated above.

Claim 11 further limits claim 10 by requiring the step of editing the matrices to modify the relationship between a calling party identity and a priority group. No such steps are taught or suggested by Brennen et al. either alone or in the combination claimed for reasons stated above.

Claim 14 further limits claim 12 which depends from claim 9 by requiring a remote memory and the steps of loading the priority group-message response matrices into the remote memory and that the step of selecting a message response group from the plurality of message response groups include loading a priority group-message response matrix into local memory from the remote memory for use in cross-referencing the located priority group. No such steps are taught or suggested by Brennen et al. either alone or in the combination claimed for reasons stated above.

Claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over Brennen et al. in view of Davis (U.S. 4,942,598). The rejection is respectfully traversed.

Claim 12 depends from claim 9 and therefore defines patentably over the applied reference since Davis fails to overcome the deficiencies in Brennen et al. as enumerated above.

In addition, claim 12 further limits claim 9 by requiring that the mobile station include a local memory, a microprocessor, and a software application of microprocessor instructions and that the method further include the steps of loading the selected priority group-message response matrix into the local memory and that the step of locating the calling party in a priority group include locating the calling party in a priority group stored in the local memory and that the step of selecting a message response in response to locating the priority group include selecting a message response stored in the local

memory. No such steps are taught or suggested by Brennen et al., Davis or any proper combination of these references either alone or in the combination claimed for reasons stated above.

While there is no specific rejection of record as to claims 13 to 15 or 21 to 23, it is assumed that the rejection of claim 12 applies to these claims as well.

Claims 13 to 15 depend from claim 12 and therefore define patentably over the applied references for at least the reasons presented above with reference to claim 12.

In addition, claim 13 further limits claim 12 by requiring the step of loading the priority group-message response matrices into local memory and where the step of selecting a message response group from the plurality of message response groups includes using the software application to select a priority group-message response matrix from memory for use in cross-referencing the located priority group. No such steps are taught or suggested by Brennen et al., Davis or any proper combination of these references either alone or in the combination claimed for reasons stated above.

Claim 14 further limits claim 12 by requiring that a remote memory be included, and further requiring the step of loading the priority group-message response matrices into the remote memory, the step of selecting a message response group from the plurality of message response groups including loading a priority group-message response matrix into local memory from the remote memory for use in cross-referencing the located priority group. No such steps are taught or suggested by Brennen et al., Davis or any proper combination of these references either alone or in the combination claimed for reasons stated above.

Claim 15 further limits claim 14 by requiring that the step of selecting a message response group from the plurality of message response groups include the mobile station periodically requesting that the current priority group-message response matrix be loaded into local memory from the remote memory. No such steps are taught or suggested by Brennen et al., Davis or any proper combination of these references either alone or in the combination claimed for reasons stated above.

Claim 21 depends from claim 9 and therefore defines patentably over the applied references for at least the reasons presented above with reference to claim 9 since Davis fails to overcome the deficiencies in Brennen et al. as noted above.

In addition, claim 21 further limits claim 9 by requiring a remote site memory, software application of machine executable instructions, and microprocessor; and further including the step of loading the priority group-message response matrices into remote memory, the step of selecting a message response group from the plurality of message response groups including using the remote site software application to select a priority group-message response matrix from remote memory for use in cross-referencing the located priority group and the step of supplying the message response including supplying the message response to the mobile station from the remote site. No such steps are taught or suggested by Brennen et al., Davis or any proper combination of these references either alone or in the combination claimed for reasons stated above.

Claims 22 and 23 depend from claim 1 and therefore define patentably over the applied references since Davis fails to overcome the deficiencies in Brennen et al. as noted above with reference to claim 1.

In addition, claim 22 further limits claim 1 by requiring providing Caller ID services and the step of identifying the calling party includes using the Caller ID service to identify the calling party. No such steps are taught or suggested by Brennen et al., Davis or any proper combination of these references either alone or in the combination claimed for reasons stated above.

Claim 23 further limits claim 1 by requiring that the step of identifying a calling party include determining a calling party identity from factors including the complete phone number, area code, unknown number, and blocked number. No such steps are taught or suggested by Brennen et al., Davis or any proper combination of these references either alone or in the combination claimed for reasons stated above.

Claim 24 was rejected under 35 U.S.C. 103(a) as being unpatentable over Brennen et al. in view of Higuchi et al. (U.S. 2002/0058500). The rejection is respectfully traversed.

Claim 24 requires, among other features, a mobile having means for identifying a calling party and selecting a message response from the group of message responses in response to the identity of the calling party. No such feature is taught or suggested by Brennen et al., Higuchi et al. or any proper combination of these references as discussed above with reference to claim 1.

Claims 7 and 25 to 32, 39 and 40 have not been specifically rejected but are assumed to have been rejected for the same reason as claim 24. If this be the case, the rejections are respectfully traversed.

Claim 7 depend from claim 5 and defines patentably over the applied reference for at least the reasons presented above with reference to claim 5 since Higuchi et al. fails to overcome the shortcomings of Brennen et al. as discussed above.

In addition, claim 7 further limits claim 5 by requiring that the mobile station have a display mechanism, and further include the step of showing the identity of the calling party, regardless of the selected message response. No such step is taught or suggested by Brennen et al., Higuchi et al. or any proper combination of these references in the combination as claimed.

Claim 25 to 32, 39 and 40 depend from claim 24 and therefore define patentably over the applied references for at least the reasons presented above with reference to claim 24.

In addition, claim 25 further limits claim 24 by requiring that the mobile station further include indicators selected from the group including audible indicators, vibrator indicators, and a visual display indicators and that message responses include responses selected from the group including using an indicator to alert, not using an indicator to alert, responding with a busy signal, not alerting and recording the message, and forwarding the call to another telephone. No such combination is taught or suggested by Brennen et al., Higuchi et al. or any proper combination of these references.

Claim 26 further limits claim 24 by requiring that the stored message response group be a message response group selected from a plurality of stored message response groups. No such feature is taught or suggested by Brennen et al., Higuchi et al. or any proper combination of these references either alone or in the combination as claimed.

Claim 27 further limits claim 26 by requiring that the mobile station further include a switch and that the message response group stored in memory be selected in response to factors including the time of day, communication activity level, and manual selection using the switch. No such features are taught or suggested by Brennen et al., Higuchi et al. or any proper combination of these references either alone or in the combination as claimed.

Claim 28 further limits claim 27 by requiring that the memory include calling party identities being stored in priority groups, the software application creating a matrix of the priority group hierarchy cross-referenced to the message response hierarchy, the software application locating the calling party in a priority group in response to the calling party being identified and selecting a message response in reaction to locating the priority group. No such feature is taught or suggested by Brennen et al., Higuchi et al. or any proper combination of these references either alone or in the combination as claimed.

Claim 29 further limits claim 28 by requiring that the mobile station memory include an override priority group and that the mobile station receive a calling party security code to trigger the override priority group and the software application provide the override message response from memory in response to receiving the security code. No such feature is taught or suggested by Brennen et al., Higuchi et al. or any proper combination of these references either alone or in the combination as claimed.

Claim 30 further limits claim 28 by requiring that the mobile station further include a display and that the software application show the identity of the calling party on the display, regardless of the message response selected in reaction to locating the

priority group. No such feature is taught or suggested by Brennen et al., Higuchi et al. or any proper combination of these references either alone or in the combination as claimed.

Claim 31 further limits claim 28 by requiring that special identities to the hierarchy of priority groups be stored in memory and cross-referenced to message responses and that the software application locate a calling party identity in the special identities and selects a message response in response to locating the special identity. No such feature is taught or suggested by Brennen et al., Higuchi et al. or any proper combination of these references either alone or in the combination as claimed.

Claim 32 further limits claim 31 by requiring that the memory include a plurality of message response hierarchies, and matrices of the priority group hierarchy cross-referenced to each of the plurality of message response hierarchies and that the software application identify the priority group-message response matrix to be used for cross-referencing the located priority group. No such feature is taught or suggested by Brennen et al., Higuchi et al. or any proper combination of these references either alone or in the combination as claimed.

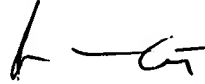
Claim 39 further limits claim 24 by requiring that the wireless communication network provide Caller ID services and that the mobile station identify the calling party using the Caller ID services provided by the wireless communications network. No such feature is taught or suggested by Brennen et al., Higuchi et al. or any proper combination of these references in the combination as claimed.

Claim 40 further limits claim 24 by requiring that the mobile station software application identify a calling party from factors including the complete phone number, local area exchange, area code, unknown number, and blocked number. No such feature

is taught or suggested by Brennen et al., Higuchi et al. or any proper combination of these references in the combination as claimed.

In view of the above remarks, favorable reconsideration and allowance are respectfully requested.

Respectfully submitted,



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